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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/706,892	11/13/2003	Pei-Yong Shi	4545311-2231.1

20999
 FROMMER LAWRENCE & HAUG
 745 FIFTH AVENUE- 10TH FL.
 NEW YORK, NY 10151



CONFIRMATION NO. 1951
 FORMALITIES LETTER



OC000000013896664

Date Mailed: 09/24/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216

- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

B. Habermann
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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454311-2231.1

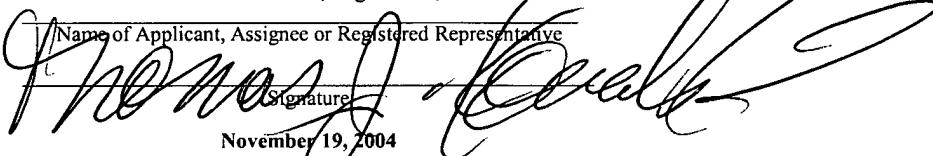
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Shi et al.
Serial No. : 10/706,892
Filing Date : November 13, 2003
For : SCREENING FOR WEST NILE VIRUS ANTIVIRAL THERAPY
Examiner : To Be Assigned
Art Unit : 1645

745 Fifth Avenue
New York, NY 10151

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 19, 2004.

Thomas J. Kowalski, Reg. No. 32,147

Name of Applicant, Assignee or Registered Representative

 Signature
November 19, 2004

Date of Signature

**AMENDMENT AND RESPONSE TO
NOTICE TO FILE MISSING PARTS**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed September 24, 2004, enclosed is a paper copy and computer readable form of the Sequence Listing. Also enclosed is a copy of a signed declaration, including Power of Attorney, in compliance with 37 CFR § 1.63. Enclosed is a check in the amount of \$65.00 to cover the late declaration surcharge as set forth in 37 CFR 1.16(e) for a small entity. The undersigned asserts, and it is the Applicants' belief, that small entity status is entitled to be asserted for the present application. Since the Response filed herewith is being filed within the time period for response,

PATENT
454311-2231.1

i.e. on or before November 24, 2004, it is believed no additional fees are due. Please charge any additional fees to Deposit Account No. 50-0320.